

To: Salton Sea Authority Board of Directors
From: G. Patrick O'Dowd, Executive Director /General Manager
Date: July 16, 2026
Re: **Institutional Coordination with the Salton Sea Conservancy: Statutory Roles and Administrative Alignment Options**

Requested Direction

Receive and discuss this report and provide direction to staff regarding: consultation with CNRA and Conservancy leadership to clarify the respective institutional roles of the Authority and the Conservancy, including the organizational assumptions informing recruitment of the Conservancy's founding Executive Officer, before that appointment is completed; evaluation of a shared administrative-services arrangement under Public Resources Code section 33821; and evaluation of extending that arrangement to shared executive leadership, using the model CVAG provides for CVCC as the preferred reference point, or such comparable collaborative arrangement as achieves the same objective, while the Conservancy retains its own independent governing board, statutory authority, funding, and fiduciary responsibility.

Discussion

The Authority's Coordinating Role

For more than three decades the Authority has served as the region's coordinating institution at the Salton Sea, a role federal and state law have consistently reinforced: P.L. 105-372 (1998), Chapter 612 (SB 317, 2003), AB 71 (2013), the 2020 CNRA-Authority MOU, the 2016 WIIN Act, and its current status, with DWR, as joint non-federal sponsor of the Imperial Streams Feasibility Study under WRDA 2020. This aligns with the Board's own 2026 Strategic Plan, which under Pillar 1, Strategy 4, directs an Authority-Conservancy coordination MOU by the fourth quarter of 2026. The pattern across three decades and both levels of government is consistent: Salton Sea coordination runs through the Authority.

Coordination and Consultation Under SB 583

SB 583 continues that pattern rather than departing from it. Section 33814(b) guarantees the sitting Authority president a permanent seat on the Conservancy's board. Section 33814(a) separately provides direct representation for the Torres Martinez Desert Cahuilla Indians, reinforcing the Legislature's design of complementary institutions with overlapping regional participation rather than isolated governance structures. Section 33826 authorizes the Conservancy to partner with local public agencies, naming the Authority specifically. Section 33827 requires the Conservancy, in implementing its enabling act, to coordinate its efforts with the Authority as necessary or appropriate, in cooperation with the Secretary of the Natural Resources Agency. Section 33837 confirms that none of this displaces the Authority's existing responsibility or authority under other law.

The result is two complementary institutions, not two competing ones: one created by the region, one created by the State.

CNRA's own ex officio, non-voting participation on the Authority Board, through the Assistant Secretary for Salton Sea Policy under the 2020 MOU, gives the State a direct forum for this discussion before separate organizational structures become fixed.

That coordination duty is best directed, before January 1, 2027, at the organizational assumptions embedded in the founding Executive Officer appointment rather than at the appointment itself. As posted, the duty statement assigns broad functions in intergovernmental representation, Tribal engagement, and pursuit of federal and philanthropic funding that substantially overlap the Authority's existing relationships, responsibilities, and activities. Left unaddressed, that overlap risks significant duplication and institutional confusion from the Conservancy's first day of operation, the outcome the coordination duty exists to prevent. The Secretary must make the founding appointment before January 1, 2027. On that date, appointment authority passes to the Conservancy Board, on which the Authority holds a permanent seat. Consultation through the existing CNRA-Authority relationship is therefore the practical means by which the Authority's institutional perspective can inform the organizational assumptions underlying the founding appointment. Staff recommends requesting consultation with CNRA on institutional role definition and avoidance of duplicative functions before the appointment is completed, rather than a role in candidate selection itself.

The Framework of Assurance reinforces the relevant governance principle: institutional responsibilities should be expressly assigned and coordinated rather than duplicated, fragmented, or left unclear.

Administrative Alignment: Two Tracks

Shared administration and shared executive leadership rest on different statutory mechanisms and timing. Section 33821 appears to provide the statutory basis for a shared administrative-services platform now, subject to legal review and Conservancy Board approval. Shared executive leadership could be considered once the Conservancy's own board gains appointment authority under Section 33820 on January 1, 2027, subject to its own legal, fiscal, personnel, and governance review, including accountability, compensation, and conflicts a services contract does not raise. The Board's objective is a structure that avoids duplication and confusion between the two institutions; CVAG/CVCC, the model staff recommends evaluating first, is the logical reference point, not the only structure capable of achieving that objective, for the following reasons:

- Eliminates duplicate capacity, reduces institutional friction, and lowers administrative cost. The Conservancy's posted duties already overlap Authority functions; separate staffs would duplicate the same relationships and add overhead, consistent with the Strategic Plan's own concern about agencies competing for resources and duplicating effort.
- Preserves institutional memory at the project handoff: the Authority plans and advocates as Joint Local Sponsor, the Conservancy operates once projects are complete, and shared leadership could bridge that transition.
- Preserves and makes available three decades of standing relationships with the congressional delegation, DOI, Reclamation, the Army Corps, CNRA, and Tribal

governments, rather than requiring the Conservancy to rebuild them independently.

- Has a proven regional precedent: CVAG and CVCC show that two legally independent entities can preserve separate boards, funds, and fiduciary duties while sharing an integrated administrative and executive platform.
- Preserves independent governance. Each entity keeps its own board, statutory mission, funding, and fiduciary responsibility; this is administrative efficiency, not consolidation.

Subject to Board direction, staff would raise these items with CNRA and Conservancy leadership promptly, before the statutory transition in appointment authority on January 1, 2027.

Fiscal Impact

None associated with this discussion. Either arrangement, if pursued, would return to the Board with its own cost, staffing, and governance analysis.

ATTACHMENT A

SALTON SEA AUTHORITY

Governmental Recognition and Reliance on the Salton Sea Authority

Documented Institutional Roles, 1965–2026

Purpose

This attachment summarizes selected verified records showing how federal and state governments have recognized and relied upon the Salton Sea Authority as the regional coordinating institution at the Salton Sea. It supports the July 16, 2026 Board discussion concerning institutional coordination and administrative alignment with the Salton Sea Conservancy. It is not a comprehensive history or legal brief; each entry is limited to the role established by the identified source.

Summary Finding

The Authority was not merely recognized from time to time. It was repeatedly called upon to speak for the region, coordinate and conduct studies, lead environmental review, develop preferred alternatives, establish project priorities, analyze financing, communicate local priorities, and sponsor federal work. The recurring institutional issue has been the failure to consolidate those project-specific assignments into a durable structure with clearly aligned roles, resources, responsibilities, and accountability.

The creation of the Salton Sea Conservancy does not erase that history. SB 583 places the Authority directly within Conservancy governance, authorizes partnership with the Authority, requires coordination with it as necessary or appropriate, and preserves the Authority's existing responsibilities and authority. The present question is how two complementary institutions should be organized to avoid duplication and preserve institutional continuity.

I. Selected Documented Milestones

The following chronology identifies the strongest milestones bearing on the Authority's regional coordinating, planning, implementation, and intergovernmental roles.

1965 | Pomeroy Report

Documented role: A major engineering report recommended that a special agency be established to manage conservation of the Salton Sea.

Why it matters: The need for a dedicated regional management institution was identified twenty-eight years before the Authority was formed.

Source: Salton Sea Annotated Documentary Record (SSADR), 1965 Pomeroy entry.

1974 | Federal-State Feasibility Report

Documented role: The federal-state study found that no suitable local agency then existed to operate, maintain, and administer a salinity-control project and called for a broadly representative local entity.

Why it matters: Federal and state governments expressly identified the institutional gap the Authority later filled.

Source: SSADR, 1974 federal-state feasibility entry.

1993 | Joint Powers Agreement

Documented role: Imperial County, Riverside County, IID, and CVWD created the Authority to direct and coordinate actions concerning water quality, elevation stabilization, recreation, economic development, and other beneficial uses at the Sea.

Why it matters: The Authority was created as a regional coordinating public agency, not as an advisory committee.

Source: SSADR, 1993 formation entry; Salton Sea Authority Joint Powers Agreement.

1997 | Congressional Oversight Testimony

Documented role: Authority Chairman Tellis Codekas testified at the first congressional oversight hearing devoted specifically to Salton Sea stabilization and water quality.

Why it matters: The Authority was functioning as the region's congressional voice before Congress enacted the 1998 federal study law.

Source: SSADR, 1997 congressional testimony entry.

1998 | Salton Sea Reclamation Act, Public Law 105-372

Documented role: Congress defined the Authority by its 1993 JPA, required the federal feasibility study to proceed under an MOU among Interior, the Authority, and the Governor, and placed the Authority's Executive Director on the federal Research Management Committee.

Why it matters: Congress assigned the Authority structural roles in the federal study rather than treating it as an outside stakeholder.

Source: Public Law 105-372, sections 2(2), 101(b)(1)(C)(i), and 102(b)(2).

1998 | Reclamation-Authority Work Plan

Documented role: Reclamation and the Authority jointly prepared the study Work Plan and jointly stated the project objectives, including maintaining the Sea as a repository for agricultural drainage.

Why it matters: The Authority operated as a federal study partner.

Source: SSADR, 1998 Work Plan entry.

2000 | Draft EIS/EIR

Documented role: Reclamation served as NEPA lead, the Authority served as CEQA lead, and the abstract identified Reclamation and the Authority as project proponents.

Why it matters: The Authority acted as environmental lead and project co-proponent in a federal-state restoration process.

Source: SSADR, 2000 Draft EIS/EIR entry.

2002 and 2004 | Official QSA and Air-Quality Warnings

Documented role: Through Executive Director Tom Kirk, the Authority testified before Congress and the State Water Board that reduced inflows would increase restoration costs, expose playa, worsen air-quality risks, and leave unresolved who would bear responsibility for the difference.

Why it matters: The Authority served not only as coordinator, but as the region's official institutional voice on foreseeable consequences and accountability.

Source: SSADR, 2002 QSA testimony and 2004 congressional hearing entries.

2003 | Chapter 612, SB 317

Documented role: California made the Authority a mandatory consultation party in the state restoration study and preferred-alternative process.

Why it matters: The Authority's formal state consultation role predates AB 71 by a decade.

Source: Chapter 612, Statutes of 2003; Fish and Game Code section 2081.7(e).

2003–2004 | Torres Martinez Membership

Documented role: The Authority admitted the Torres Martinez Desert Cahuilla Indians as a member agency while the Tribe retained its separate sovereign status.

Why it matters: The regional coordinating institution came to include direct Tribal governance participation.

Source: SSADR, Torres Martinez accession entry; JPA amendment record.

2004 | Public Law 108-361, Section 201

Documented role: Congress directed the Secretary of the Interior to complete the preferred-alternative feasibility study in coordination with California and the Authority.

Why it matters: Congress again placed the Authority alongside California in the formal federal study structure.

Source: Public Law 108-361, section 201, 118 Stat. 1681.

2006 | Authority Multi-Purpose Project

Documented role: The Authority adopted a comprehensive preferred conceptual plan integrating engineering, hydrology, habitat, air quality, land use, financing, and implementation structure, and committed to environmental review.

Why it matters: The Authority was functioning as the region's planning, technical, environmental, financing, and advocacy institution.

Source: Authority Resolution 06-02; Salton Sea Authority Plan for Multi-Purpose Project, July 2006.

2007 | WRDA Section 3032

Documented role: Congress required the Army to consult with the Authority on pilot projects and priorities and to consider both California's and the Authority's priorities.

Why it matters: The Authority remained an independent, congressionally recognized source of regional priorities.

Source: Public Law 110-114, section 3032, 121 Stat. 1110-1111.

2010 | SB 51

Documented role: The state-created Salton Sea Restoration Council was directed to request the Authority's assistance in organizing and operating the local-government forum.

Why it matters: Even when California created a separate restoration body, it relied on the Authority for regional governmental coordination.

Source: SSADR, 2010 SB 51 entry.

2013 | AB 71

Documented role: Fish and Game Code section 2942(a)(1) requires the Secretary, in consultation and coordination with the Authority, to lead the State's Salton Sea restoration efforts. Section 2942(b)(1) separately authorizes the Authority, in coordination and under

contract with the Secretary, to lead a feasibility study evaluating restoration funding sources, economic-development opportunities, state procurement and royalty-sharing opportunities, and recommended changes to existing long-term restoration plans. Section 2943 separately requires the Secretary to seek Authority input on design, public access, economic development, habitat, vector and predator management, and financial resources for restoration of the Salton Sea.

Why it matters: AB 71 renewed and expanded the Authority's existing coordinating role. In addition to requiring consultation and coordination with the Authority, the Legislature authorized the Authority to lead defined funding, feasibility, and long-term planning work in coordination with the Secretary, and separately required the Secretary to seek the Authority's input across a defined set of restoration components.

Source: AB 71 (2013); Fish and Game Code section 2942(a)(1), (b)(1), and 2943.

2014 | DOI-Authority MOU

Documented role: Interior and the Authority entered a ten-year, secretarial-level MOU involving Reclamation, USFWS, USGS, BLM, and BIA to exchange information and identify practical projects.

Why it matters: The federal executive branch treated the Authority as its regional counterpart across five Interior bureaus.

Source: SSADR, 2014 DOI-Authority MOU entry.

2014–2016 | Funding and Feasibility Action Plan

Documented role: CNRA funded work through a grant to the Authority; the Authority managed the program, evaluated prior plans, developed technical concepts, and produced the Perimeter Lake concept.

Why it matters: The Authority demonstrated program-management and technical capacity and generated concepts later carried into federal planning.

Source: SSADR, Funding and Feasibility Action Plan entry and benchmark reports.

2016 | Financing Analysis and WIIN Act

Documented role: The Authority sponsored detailed implementation-grade financing analysis. Congress separately expanded the Authority's eligibility to enter implementation and cost-sharing agreements with the Secretary.

Why it matters: The Authority was developing financing mechanisms while Congress expanded its role as a potential direct federal agreement and cost-sharing counterparty.

Source: Funding and Feasibility Action Plan, Benchmark 5; WIIN Act section 1181.

2016–2017 | DOI-CNRA MOU and Addendum

Documented role: DOI and CNRA created a two-party coordination agreement that left the Authority outside the governing instrument, while attached State actions anticipated Authority assistance with local involvement. The addendum linked air-quality emissions to QSA implementation and declining Sea elevation.

Why it matters: The arrangement illustrates the recurring mismatch between formal executive structure and the regional role assigned to and performed by the Authority.

Source: DOI-CNRA MOU, August 31, 2016; January 18, 2017 addendum.

2020 | CNRA-Authority MOU

Documented role: CNRA recognized the Authority as uniquely positioned to consolidate local priorities, designated it as the primary channel through which those priorities are communicated to CNRA, provided for regular ex officio State participation on the Authority Board, and contemplated coordinated implementation and federal funding efforts.

Why it matters: California formally described the Authority as the regional coordination channel, not merely one stakeholder among many.

Source: CNRA-Authority MOU, February 2020.

2020–2022 | WRDA Authorization and Federal Cost Share Agreement

Documented role: The Authority and DWR became joint non-federal sponsors of the Imperial Streams and Salton Sea Ecosystem Restoration Feasibility Study.

Why it matters: The Authority moved from concept developer to formal sponsor of a major federal civil works study.

Source: SSADR, WRDA 2020 and 2022 Federal Cost Share Agreement entries.

2024 | SB 583 and the Salton Sea Conservancy

Documented role: SB 583 created the Conservancy for specified project operation, maintenance, management, landholding, and grant-making purposes; gave the Authority President a permanent Conservancy Board seat; provided direct Torres Martinez representation; authorized partnership with the Authority; required coordination with it as necessary or appropriate; and preserved existing Authority responsibilities and powers.

Why it matters: The Legislature integrated the Authority into the Conservancy's governance and operations rather than replacing the Authority's regional role.

Source: SB 583 (2024), Public Resources Code sections 33812, 33814, 33821, 33826, 33827, and 33837.

2026 | Strategic Plan and Framework of Assurance

Documented role: The Authority's 2026 Strategic Plan directs formalization of the Authority-Conservancy relationship and carries forward the Authority's regional coordinating role. The Framework of Assurance states the corresponding governance principle: institutional responsibilities should be expressly assigned and coordinated rather than duplicated, fragmented, or left unclear.

Why it matters: The current Board discussion concerns how the Authority's documented coordinating role should operate alongside the newly created Conservancy, not whether that role exists.

Source: Salton Sea Authority 2026 Strategic Plan, Pillar 1, Strategy 4; Framework of Assurance presented July 16, 2026.

II. The Institutional Pattern

Across these records, the Authority repeatedly performs five connected functions: (1) regional representation; (2) intergovernmental coordination; (3) technical and environmental planning; (4) federal partnership and sponsorship; and (5) institutional continuity and accountability. These are not isolated historical references. They form a continuous pattern of governmental reliance extending from the Authority's formation through the present Corps feasibility study.

The recurring weakness has been structural. *The question for this Board to consider is not whether those institutional roles exist, they are well documented, but how they should be organized going forward.* Roles have been assigned through individual statutes, hearings, studies, grants, and memoranda, but not consistently integrated into one durable arrangement that aligns the Authority's regional function with the responsibilities, resources, and accountability of the other institutions operating at the Sea.

III. Relevance to Authority-Conservancy Alignment

- **The Conservancy adds implementation capacity; it does not displace the Authority's role.** SB 583 focuses the Conservancy on completed-project operations, maintenance and management, property interests, grants, and related implementation functions while expressly preserving the Authority's existing responsibilities and authority.
- **The Legislature provided overlapping representation and required coordination; it did not require duplicative administration.** The Authority President and Torres Martinez each hold direct Conservancy Board representation, the Conservancy may partner with the Authority, and the Conservancy must coordinate with it as necessary or appropriate.
- **The present Executive Officer design makes early clarification necessary.** The posted duty statement assigns broad external-facing functions involving intergovernmental representation, Tribal engagement, strategic planning, and pursuit of federal and philanthropic funding that substantially overlap the Authority's existing relationships, responsibilities, and activities. Without an agreed institutional structure, two parallel centers of regional coordination could develop from the Conservancy's first day of operation.
- **CVAG/CVCC is the logical initial reference model, not a predetermined result.** It demonstrates that separate public entities can preserve independent boards, funds, statutory duties, and fiduciary responsibility while sharing an integrated administrative and executive platform. Another collaborative arrangement may be appropriate if it achieves the same objective.
- **The governing objective is clear assignment and continuity.** The Authority and Conservancy should be organized so that regional coordination, project implementation, governmental relationships, public accountability, and institutional memory reinforce one another rather than compete or fragment.

IV. Conclusion

The Authority is not seeking a new institutional role. It is asking that a role repeatedly assigned and relied upon by Congress, California, federal agencies, and regional governments be reflected in the organizational relationship between the Authority and the Salton Sea Conservancy. The statutory design supports complementary institutions: the Authority as the established regional coordinating and federal-partnership institution, and the Conservancy as a State-created implementation, operations, maintenance, landholding, and grant-making institution. The immediate task is to align those functions before duplicative structures become fixed.